

FILED
JAMES DOWNING
CLERK
03 DEC 29 PM 2:58
U.S. DISTRICT COURT
SOUTHERN DISTRICT
WEST DIV CINCINNATI

IN THE UNITED STATES DISTRICT COURT OF OHIO
SOUTHERN DISTRICT
WESTERN DIVISION

FRED C. PITZER
Plaintiff,

Case No. **C-1-01-130**

Vs.

Judge: **Spiegel**

Magistrate Judge: **Hogan**

C.M.S., et al.,
Defendants.

JUDICIAL NOTICE OF
ADJUDICATIVE FACTS

Now comes, Fred C. Pitzer (hereinafter Plaintiff), pro-se and pursuant to 201 of the Fed.R.Evid. He states the following:

The Plaintiff states that on December 4th, 2003, this Court adopted the Report & Recommendation of the Magistrate Judge granting summary judgment in favor of Hamilton County Defendants. Furthermore, C.M.S. was not a party to summary judgment proceedings as they did not file a disparities motion and therefore, remain a party to this case.

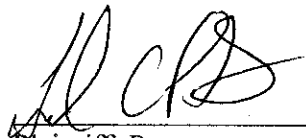
The Plaintiff states that he has filed a motion to set a trial date against C.M.S. and the motion has not yet been ruled on. Further, because the Plaintiff has named two defendants; One as Jane Doe aka Nurse Amy; and one as John Doe aka Nurse Bob, he is required to identify those defendants through discovery and hereby identifies them as follows:

1. Jane Doe aka Nurse Amy has been identified as Amy May.
2. John Doe aka Nurse Bob has been identified as Robert Ober.

CONCLUSION

WHEREFORE, the Plaintiff hereby gives his Judicial Notice of Adjudicative Facts identifying all Jane and John Doe defendants and this case is now ripe for trial.

Respectfully Submitted,

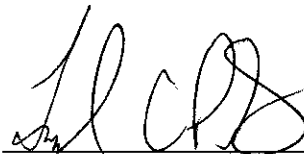
A handwritten signature in black ink, appearing to read 'F. C. Pitzer', is written over a horizontal line.

Plaintiff, Pro-se
Fred C. Pitzer
3430 Pape Ave.
Cincinnati, Ohio 45208

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing JUDICIAL NOTICE OF ADJUDICATIVE FACTS was sent by regular U.S. Mail, postage prepaid, on this 24th day of December, 2003 to the following:

Vincent Lodico, Esq.
500 South Front St., Suite 1200
Columbus, Ohio 43215

A handwritten signature in black ink, appearing to read 'Fred C. Pitzer', is written over a horizontal line.

Plaintiff, Pro-se
Fred C. Pitzer
3430 Pape Ave.
Cincinnati, Ohio 45208